

## Message Text

SECRET

PAGE 01 MOSCOW 05854 222117 Z

60

ACTION EUR-10

INFO OCT-01 SS-14 ADP-00 SCI-03 COME-00 L-02 SSO-00 NSCE-00

NSC-10 INRE-00 CIAE-00 INR-10 NSAE-00 RSC-01 PRS-01

SAJ-01 COA-01 PM-03 RSR-01 /058 W

----- 002819

O 222055 Z MAY 73

FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC IMMEDIATE 8983

S E C R E T MOSCOW 5854

LIMDIS

FOR EUR/ SOV, L

E. O. 11652: GDS

TAGS: TGEN, UR

SUBJ: POSSIBLE US- USSR AGREEMENT ON OCEANOGRAPHY

REF: A. STATE 89711, B. MOSCOW 5786, C. MOSCOW 5787

1. FOUR- HOUR NEGOTIATING SESSION TUESDAY, MAY 22, RESULTED IN ESSENTIALLY AGREED UPON COMPLETE TEXT FOR OCEANOGRAPHY AGREEMENT. IMPASSE HAS BEEN REACHED, HOWEVER, ON THREE ISSUES, FOR WHICH ADVICE IS REQUESTED FROM DEPARTMENT BY IMMEDIATE CABLE.

2. FIRST: SOVIETS AGREE TO REFERENCING ALL THREE PREVIOUS AGREEMENTS IN PREAMBLE, BUT INSIST THAT THEY CANNOT ACCEPT PHRASE " IN ACCORDANCE WITH" IN CONNECTION WITH EXCHANGES AGREEMENT. THEY PREFER " CONSISTENT WITH THE AIMS OF" AS USED IN CONNECTION WITH ENVIRONMENTAL AGREEMENT. IT WAS POINTED OUT TO SOVIET SIDE THAT " IN ACCORDANCE WITH" WAS USED IN 1972 SUMMIT AGREEMENTS, SO PHRASE SHOULD NOT BOTHER THEM NOW IF IT DID NOT BOTHER THEM LAST YEAR. USDEL BELIEVES IT CAN FORCE SOVIET SIDE TO ACCEPT US WORDING, BUT WISHES TO KNOW WHETHER DEPARTMENT COULD ACCEPT SOVIET VERSION ABOVE AS FALL-  
SECRET

SECRET

PAGE 02 MOSCOW 05854 222117 Z

BACK POSITION.

3. SECOND: AS REPORTED IN PARA FIVE OF REF. B, BERDENNIKOV AND BUBNOV RESOLUTELY MAINTAIN THAT REFERENCE TO " ANY SUCCESSOR AGREEMENTS" IS CONTRARY TO SOVIET LAW AND HAS NO PRECEDENT IN INTERNATIONAL AGREEMENTS, AND THAT IN ANY EVENT SUCH " SUCCESSOR" COULD POSSIBLY BE DIFFICULT TO IDENTIFY LEGALLY. AT SAME TIME, HOWEVER, MINAG HAS ACCEPTED THIS PHRASE IN FIRST DAY OF NEGOTIATIONS OF AGRICULTURAL AGREEMENT.

MINAG NEGOTIATING TEAM ALSO ACCEPTED " IN ACCORDANCE WITH" IN REFERENCING EXCHANGES AGREEMENT. IF USDEL CITES MINAG ACCEPTANCE OF THESE WORDINGS IN EFFORT TO SHOW PRECEDENCE AND PERSUADE SIMILAR ADOPTION IN OCEANOGRAPHY, WE RUN RISK THAT BERDENNIKOV WILL SIMPLY ALERT MINAG AND CREATE SAME PROBLEM WITH AGRICULTURE. ON OTHER HAND, MINAG MAY BE RIGHT, AND WE WOULD THUS CALL BERDENNIKOV' S BLUFF. USDEL BELIEVES THAT SOVIETS WOULD ACCEPT REFERENCES TO THE THREE AGREEMENTS IN FOLLOWING WAY. DELETE CITATION OF " SUCCESSOR AGREEMENTS". MENTION AGREEMENTS ONLY BY NAME, OMITTING DATES OF SIGNATURE. ( THIS METHOD IS USED IN US DRAFT OF NEW EXCHANGES AGREEMENT.) PROVIDED ANY NEW SUCCESSOR AGREEMENTS HAVE SAME TITLES AS PRESENT AGREEMENTS, PROBLEM WOULD SEEM TO BE SOLVED. PLEASE ADVISE WHETHER THIS FORMULATION SATISFIES US LEGAL REQUIREMENTS, AND WHETHER USDEL CAN PROPOSE AS FALL- BACK. WE WOULD ALSO WIN " IN ACCORDANCE WITH".

4. THIRD: SOVIET SIDE REFUSES TO ACCEPT WORD " MONITOR" IN ARTICLE FOUR AND IN PARAGRAPH THREE OF ARTICLE FIVE. USDEL BELIEVES THEIR POSITION IS FIRM, PARTLY BECAUSE OF " BIG BROTHERISM" CONNOTATION OF CORRESPONDING WORD IN RUSSIAN ( SLEDIT' OR NABLYUDAT'). USDEL PROBABLY COULD PERSUADE SOVIETS TO ACCEPT WORD " REVIEW" IN BOTH PLACES, OR AT LEAST IN ARTICLE FIVE AS TRADE- OFF FOR COMPLETE OMISSION FROM ARTICLE FOUR. PLEASE ADVISE WHETHER " REVIEW" WOULD MEET US REQUIREMENTS.

5. TITLE HAS BEEN CHANGED TO " COOPERATION IN STUDIES OF THE WORLD OCEAN".

6. PARAGRAPH THREE OF ARTICLE TWO TENTATIVELY READS " GEOCHEMISTRY OF THE WORLD OCEAN, INCLUDING APPROPRIATE REPEAT APPROPRIATE STUDIES OF MARINE POLLUTION."

SECRET

SECRET

PAGE 03 MOSCOW 05854 222117 Z

7. ARTICLE FOUR WORDING IS TENTATIVELY CHANGED TO " CONTACTS AND COOPERATION BETWEEN AGENCIES, ORGANIZATIONS AND FIRMS OF THE TWO COUNTRIES". SIMILARLY CHANGED WHERE SUCH INSTITUTIONAL REFERENCES ARE MADE ELSEWHERE IN TEXT.

8. REQUEST REPLY TO SEPTTEL ON " MANNED UNDERWATER HABITATS".

DUBS

SECRET  
NMAFVVZCZ

\*\*\* Current Handling Restrictions \*\*\* LIMDIS

\*\*\* Current Classification \*\*\* SECRET

## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TGEN  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 22 MAY 1973  
**Decaption Date:** 28 MAY 2004  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** garlanwa  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1973MOSCOW05854  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GDS  
**Errors:** n/a  
**Film Number:** n/a  
**From:** MOSCOW  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1973/newtext/t19730552/aaaajpmw.tel  
**Line Count:** 118  
**Locator:** TEXT ON-LINE  
**Office:** ACTION EUR  
**Original Classification:** SECRET  
**Original Handling Restrictions:** LIMDIS  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:**  
**Previous Classification:** SECRET  
**Previous Handling Restrictions:** LIMDIS  
**Reference:** A.STATE 89711, B.MOSCOW 5786, C.MOSCOW 5787  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** garlanwa  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 27 SEP 2001  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <27-Sep-2001 by smithrj>; APPROVED <30-Nov-2001 by garlanwa>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** <DBA CORRECTED> mcm 980226  
**Subject:** POSSIBLE US- USSR AGREEMENT ON OCEANOGRAPHY  
**TAGS:** TGEN, UR  
**To:** EUR  
**SECSTATE WASHDC**  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005